

LAND USE PLAN (LUP) AMENDMENT / MAINTENANCE SHEET			
<b>Plan Name:</b> Record of Decision and Approved Resource Management Plan <b>Location:</b> Bureau of Land Management – Vernal Field Office <b>Program:</b> Special Status Plants (Uintah Basin Hookless Cactus and Graham’s Penstemon) <b>Revision: 1</b> Maintenance Change Sheet No.: 2009-13			
LOCATION AND DESCRIPTION OF CHANGES <sup>1</sup>			
Item	Page	Paragraph	Change Description
2009-13-001	18	5 <sup>th</sup> paragraph	<p>. . . The BLM has reviewed its administrative record and found that comments submitted in February 2006 (during a comment period for gathering input on potential ACECs) did include recommendations for designating ACECs to protect Graham’s penstemon (<u><i>Penstemon grahamii</i></u>) and <del>Pariette</del> <u>Uintah Basin Hookless c</u>actus habitat (<u><i>Sclerocactus glaucus [=brevispinus and wetlandicus]</i></u>). These recommendations were mistakenly overlooked. Because the BLM did not review or consider the recommendations in accordance with BLM 1613 Manual, the protest is granted and these recommended areas will be considered at the earliest opportunity as part of the next planning process conducted in the Field Office. Until such time as a plan amendment or revision to consider these ACECs is completed, the following measures are being (and will continue to be) implemented to mitigate impacts to <del>the sensitive plant species</del> <u>Graham’s penstemon and Uintah Basin Hookless Cactus</u> from submitted projects with proposed surface disturbance:</p> <ol style="list-style-type: none"> <li>(1) within suitable habitat, site-specific inventories will be conducted to determine occupancy. The inventories will be conducted for lands within 300 feet of proposed surface-disturbance;</li> <li>(2) in suitable habitat, the project infrastructure will be designed to minimize impacts; and,</li> <li>(3) within occupied habitat, the project infrastructure will be designed to avoid direct disturbance and to minimize indirect impacts to populations and individual plants. <del>The nearest proposed surface disturbance to a plant will be at least 300 feet away.</del> <u>Section 7 Consultation will be conducted with the USFWS if any surface disturbing activity is proposed within 300 feet of populations and/or individual plants. For Uintah Basin Hookless Cactus, see the lease notice information found in Appendix L, Section L.1.6. For Graham’s Penstemon, see Appendix 1 of the USFWS Conservation Agreement (2007).</u></li> </ol>

<sup>1</sup> Page references and paragraph numbering on this LUP Maintenance Sheet correspond to the Vernal ROD / Approved RMP reissued in June 2009.

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Item	Page	Paragraph	Change Description
2009-13-002	24	Item 3 and the paragraph that follows	<p>(3) Graham's penstemon and Pariette cactus potential ACECs: The BLM has reviewed its administrative record and found that comments submitted in February 2006 (during a comment period for gathering input on potential ACECs) did include recommendations for designating ACECs to protect Graham's penstemon (<i>Penstemon grahamii</i>) and <del>Pariette</del> <u>Uintah Basin Hookless e</u>cactus habitat (<i>Sclerocactus glaucus [=brevispinus and wetlandicus]</i>). These recommendations were mistakenly overlooked. Because the BLM did not review or consider the recommendations in accordance with BLM 1613 Manual, these recommended areas will be considered at the earliest opportunity as part of the next planning process conducted in the Field Office. <u>Until such time as a plan amendment or revision to consider these ACECs is completed,</u> <del>T</del>the following measures are <del>currently being</del> (and will continue to be) implemented to mitigate impacts to <del>the sensitive plant species</del> <u>Graham's penstemon and Uintah Basin Hookless Cactus</u> from submitted projects with proposed surface disturbance:</p> <p>(<del>4</del><u>a</u>) Within suitable habitat, site-specific inventories will be conducted to determine occupancy. The inventories will be conducted for lands within 300 feet of proposed surface disturbance.</p> <p>(<del>2</del><u>b</u>) In suitable habitat, the project infrastructure will be designed to minimize impacts.</p> <p>(<del>3</del><u>c</u>) Within occupied habitat, the project infrastructure will be designed to avoid direct disturbance and to minimize indirect impacts to populations and individual plants. <del>The nearest proposed surface disturbance to a plant will be at least 300 feet away.</del> <u>Section 7 Consultation will be conducted with the USFWS if any surface disturbing activity is proposed within 300 feet of populations and/or individual plants. For Uintah Basin Hookless Cactus, see the lease notice information found in Appendix L, Section L.1.6. For Graham's Beardtongue, see Appendix 1 of the USFWS Conservation Agreement (2007).</u></p>
2009-13-003	Appendix L, Page L-2	7.	<p>Implement <del>the Utah Oil and Gas Pipeline Crossing Guidance (from BLM National Science and Technology Center) Appendix B (Hydraulic Considerations for Pipelines Crossing Stream Channels; Technical Note 423);</del></p>

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2009-13-004	Appendix L, Page L-2	9.	In areas adjacent to 100-year flood plains, particularly in systems prone to flash floods, analyze the risk for flash floods to impact facilities, and use closed loop drilling, and pipeline burial or suspension according to <del>the Utah Oil and Gas Pipeline Crossing Guidance Appendix B (Hydraulic Considerations for Pipelines Crossing Stream Channels; Technical Note 423)</del> , to minimize the potential for equipment damage and resulting leaks or spills.
2009-13-005	Appendix L, Page L-3	3.b.	Construction will occur down slope of plants and populations where feasible; if well pads and roads must be sited upslope, buffers of <del>100-300</del> feet minimum between surface disturbances and plants and populations will be incorporated;
2009-13-006	Appendix L, Page L-3	3.c.	Where populations occur within <del>200-300</del> feet of well pads, establish a buffer or fence the individuals or groups of individuals during and post-construction;
2009-13-007	Appendix L, Page L-7	2.c.	Will occur within <del>145-300 feet</del> from the <del>centerline-edge</del> of the proposed right-of-way for surface pipelines or roads; and within <del>100-300 feet</del> from the perimeter of disturbance for the proposed well pad including the well pad,
2009-13-008	Appendix L, Page L-7	4.b.	Buffers of <del>100-300</del> feet minimum between the edge of the right of way (roads and surface pipelines) or surface disturbance (well pads) and plants and populations will be incorporated,
2009-13-009	Appendix L, Page L-7	4.c.	Surface pipelines will be laid such that a <del>100-300</del> -foot buffer exists between the edge of the right-of-way and the plants, use stabilizing and anchoring techniques when the pipeline crosses the habitat to ensure the pipelines don’t move towards the population,
2009-13-010	Appendix L, Page L-8	5.	Occupied Uinta Basin hookless cactus habitats within <del>100-300 feet</del> of the edge of the surface pipelines’ right-of-ways, <del>100-300 feet</del> of the edge of the roads’ right-of-ways, and <del>100-300 feet</del> from the edge of the well pad shall be monitored for a period of three years after ground disturbing activities. . . .
2009-13-011	Appendix L, Pages L-8, L-10, L-13, L-15, L-19, L-22, L-25		Paragraphs 5 and 6 are renumbered as: <ul style="list-style-type: none"> <li>• 4.i and 4.j on pages L-8, L-10, L-19</li> <li>• 4.m and 4.n on pages L-13 and L-22</li> <li>• 4.l and 4.m on pages L-15 and L-25</li> </ul>

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Item	Page	Paragraph	Change Description
2009-13-012	Appendix L, Pages L-29		<del>The Utah Oil and Gas Pipeline Crossing Guidance (BLM National Science and Technology Center) Appendix B (Hydraulic Considerations for Pipelines Crossing Stream Channels; Technical Note 423)</del> , or other applicable guidance, will be implemented for oil and gas pipeline river/stream crossings.
2009-13-013	Appendix L, Page L-30	L.3.1	The project proponent commits to the following resource protection measures as identified in the <del>March 4, 2005–October 23, 2008 Biological Assessment Opinion</del> .
2009-13-014	Appendix L, Page L-7 thru L-15		References appear but the footnote is missing.
2009-13-015	Appendix L, Page L-9	2.d	Will occur within 300’ from the <del>centerline-edge</del> of the proposed right-of-way for surface pipelines or roads; and within 300’ from the perimeter of disturbance for the proposed well pad including the well pad,
	Appendix L, Page L-12	2.c	
	Appendix L, Page L-14	2.c	
	Appendix L, Page L-18	2.d	
	Appendix L, Page L-21	2.c	
	Appendix L, Page L-24	2.c	
RATIONALE / JUSTIFICATION			
<ul style="list-style-type: none"><li>• <b>[Items 2009-13-001 and 2009-13-002]</b> – The wording is incorrect and does not match the language that is appears in the U.S. Fish and Wildlife Service Biological Assessment and Opinion. As is, the language is more restrictive than what had been analyzed or consulted for in the Vernal RMP / Final EIS. In addition, there was no opportunity for public comment or for UFWS input into the de facto No Surface Occupancy (NS).</li><li>• <b>[Items 2009-13-003, 2009-13-004, and 2009-13-012]</b> – The citation for the stream crossing document is corrected.</li><li>• <b>[Items 2009-13-005 through 2009-13-010]</b> – There is no justification available for the 100-foot buffer. Science supports a 300-foot buffer for other species studied throughout the world. A 100-foot buffer is more restrictive than what is required by the Endangered Species Act.</li><li>• <b>[Items 2009-13-11]</b> – Paragraphs 5 and 6 have been renumbered as 4.i and 4.j so that they are clearly linked to the text regarding ‘occupied habitat’.</li></ul>			

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<ul style="list-style-type: none"> <li>• <b>[Item 2009-13-013]</b> – The date is changed from the Biological Assessment for Vernal Draft RMP / Draft EIS to the approval date for the USFWS Biological Opinion that appears in the Vernal Record of Decision Approved Resource Management Plan.</li> <li>• <b>[Item 2009-13-014]</b> – There are six instances where there are superscripted references appear but the text for the footnote is missing. The correct footnotes are added.</li> <li>• <b>[Item 2009-13-015]</b> – Buffers will be from the edge of the right-of-way instead of from the centerline.</li> </ul>			
		SIGNATURES	DATE
<b>Program Lead</b>		Kelly Buckner	11/16/09
<b>Environmental Coordinator</b>		Kelly Buckner	11/16/09
<b>Field Office Manager</b>		Michael Stiewig	11/16/09
<b>Copy sent to USO Planning:</b>		Kelly Buckner	11/16/09